

I respectfully submit to the Commission the following comments in opposition to NPRM 05-235. I strongly urge the Commission to reconsider NPRM 05-235 on the basis that the three premises presented in the NPRM are based on faulty assumptions as outlined below. Based upon the information presented here I, therefore, urge the Commission to maintain the requirement for passing a Morse code element in obtaining an amateur radio license as outlined in the previously filed petition: RM-10811 by the FISTS club.

The entire NPRM is predicated on three basic premises listed in Section I.3 (page three of the NPRM):

(1) ...encourage individuals who are interested in communications technology, or who are able to contribute to the advancement of the radio art, to become amateur radio operators.

*Is this not what the first license class (Technician) is for? **This is being fulfilled with the current licensing structure** and is irrelevant to the current NPRM.*

(2) ...eliminate a requirement that we believe is now unnecessary and that may discourage amateur service licensees from advancing their skills in the communications and technical phases of amateur radio.

*The key phrase is “may discourage.” There is **no objective justification** for the statement that one will stop advancing their skills because of the 5 words per minute (WPM) Morse code (CW) test. In fact, historically this has not been the case as amateurs have upgraded through the entire licensing structure even when there was the more stringent 20 WPM code exam. The decrease in CW testing speed, the fact that the code test needs to be passed only once, and the fact that every single possible question that can be asked by an examiner is already published complete with correct answers is encouragement in itself to upgrade.*

(3) ...promote more efficient use of the radio spectrum currently allocated to the amateur radio service.

*How is the elimination of a test component going to have any affect whatsoever on the efficiency of the current spectrum? If anything, it will decrease spectrum efficiency, as it will not encourage anyone to learn CW. The only way this will positively impact spectrum efficiency is if the ultimate goal is to eliminate the reserved use of this part of the spectrum for CW. **Since CW uses the smallest amount of bandwidth of all of our emissions, this NPRM will definitely decrease efficiency of the spectrum.***

Please keep an open mind as you consider these comments. I trust the Commission will evaluate each of the comments presented here and by others on the merits contained within them when deciding the efficacy of NPRM 05-235.

Thank you for giving us the opportunity to comment.